

UNITED STATES OF AMERICA
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA
Plaintiff

Case No.: 11-11766

Hon: JOHN CORBETT O'MEARA

-v-

Claim No.: 2011A05892

DAWN E. MISNER
Defendant

PETITION TO ALLOW RECORDS SUBPOENA

NOW COMES the Plaintiff herein, the UNITED STATES OF AMERICA, by and through it's attorneys, HOLZMAN CORKERY PLLC. and in this PETITION TO ALLOW RECORDS SUBPOENA, says as follows:

1. That Plaintiff obtained a Default Judgment against Defendant, DAWN E. MISNER on August 31, 2011.
2. That the debt in question is owed to the United States of America on Student Loans obtained between January 1987 through January 1990 to attend Everest Institute & National Education Center.
3. That Plaintiff has no knowledge of any assets of the above-named Defendant to collect on the above debt.
4. That Plaintiff has reason to believe and does believe that QUICKEN LOANS, INC. has information leading toward assets of the Defendant that would enable Plaintiff to satisfy said Judgment.

WHEREFORE, Plaintiff requests this Court to allow a records subpoena to QUICKEN LOANS, INC. in an effort to obtain a copy of a mortgage application and copies of any bank checks used to make payments on account and /or the bank routing number of any electronic payments made.

Dated: April 13, 2017

S/CHARLES J. HOLZMAN
Holzman Corkery PLLC.
28366 Franklin Road
Southfield, MI 48034
(248) 352-4340
usa@holzmanlaw.com
P35626

UNITED STATES OF AMERICA
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA
Plaintiff

Case No.: 11-11766

Hon: JOHN CORBETT O'MEARA

-v-

Claim No.: 2011A05892

DAWN E. MISNER
Defendant

/

BRIEF IN SUPPORT OF PLAINTIFF'S PETITION FOR RECORDS SUBPOENA

In support of its Petition for Records Subpoena, Plaintiff relies upon F.R.C.P. 34(c), which provides as follows:

(c) Persons Not Parties. A person not a party to the action may be compelled to produce documents and things or to submit to an inspection as provided in Rule 45.

Rule 45 provides for the issuance of a subpoena for the production of documents and/or other records. Plaintiff seeks only document production from non-party **QUICKEN LOANS, INC.**, and does not seek the appearance of anyone from said entity to testify. Accordingly, pursuant to Rule 45(a)(2)(c), said subpoena must issue from the court for the district where the production is to be made. As the production is to be made to Plaintiff's counsel in Southfield, Michigan, the subpoena must issue from this Court.

WHEREFORE, Plaintiff respectfully requests that its Petition for Records Subpoena be granted.

DATED: April 13, 2017

By: s/Charles J. Holzman
HOLZMAN CORKERY, PLLC
28366 Franklin Road
Southfield, MI 48034
(248) 352-4340
usa@holzmanlaw.com
P35626

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA

Plaintiff

Case No.: 11-11766

Hon: JOHN CORBETT O'MEARA

-v-

Claim No.: 2011A05892

DAWN E. MISNER
Defendant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he/she served copies as follows:

1. Documents Served: Petition to Allow Records Subpoena & Order Allowing Record Subpoena
2. Served Upon: Dawn Misner
3. Method of Service: 1st Class Mail
4. Date of Service: 4/13/2017

I certify under penalties of perjury that the foregoing is true and correct.

Respectfully submitted,
HOLZMAN, CORKERY PLLC.

S/Debra Meggert
Holzman, Corkery PLLC.
28366 Franklin Road
Southfield, MI 48034
(248) 352-4340
Usa@holzmanlaw.com

Executed on: 4/13/2017